

Docket No. 4173-101 (HyperNex)

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR RAPID GRAIN SIZE ANALYSIS OF POLYCRYSTALLINE MATERIALS**, the specification of which

(check one) is attached hereto.
 was filed on _____ as Application Serial No. _____
 and was amended _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this specification is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)	(Filing Date)	(Status-Patented, Pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**STEVEN J. HULTQUIST, REG. NO. 28,021
MARIANNE FUERER REG. NO. 39,983**

All correspondence in connection with this application should be sent to:

Docket No. 4173-101 (HyperNex)

Steven J. Hultquist
Intellectual Property/Technology Law
P. O. Box 14329
Research Triangle Park, NC 27709
Telephone: (919) 419-9350

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first inventor:

David S. Kurtz

Inventor's Signature

Date 6/18/01

Residence:

1304 Chestnut Ridge Dr., State College, PA 16803

Citizenship:

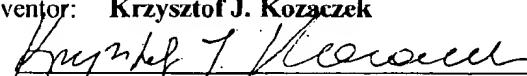
U.S.A.

Post Office Address:

1304 Chestnut Ridge Dr., State College, PA 16803

Full Name of second inventor: **Krzysztof J. Kozaczek**

Inventor's Signature

Date 06/18/01

Residence:

222 East Irvin Ave., State College, PA 16801

Citizenship:

U.S.A.

Post Office Address:

222 East Irvin Ave., State College, PA 16801

Full Name of third inventor:

Paul R. Moran

Inventor's Signature

Date 6/18/01

Residence:

111 North High St., Port Matilda, PA 16870

Citizenship:

U.S.A.

Post Office Address:

111 North High St., Port Matilda, PA 16870